



US00D597293S

(12) **United States Design Patent**  
**Banik et al.**

(10) **Patent No.:** **US D597,293 S**

(45) **Date of Patent:** **\*\* Aug. 4, 2009**

(54) **FOOTWEAR UPPER**

D577,185 S \* 9/2008 Link ..... D2/969  
D578,293 S \* 10/2008 Duffy et al. .... D2/969  
D586,101 S \* 2/2009 Banik ..... D2/969

(75) Inventors: **Gary J. Banik**, Boulder, CO (US);  
**Martin W. F. Dean**, St. Albans (GB)

**OTHER PUBLICATIONS**

(73) Assignee: **Wolverine World Wide, Inc.**, Rockford, MI (US)

Merrell Spring 2008 Catalog, pp. 5, 6, 10, 42 and 43.

(\*\*) Term: **14 Years**

\* cited by examiner

(21) Appl. No.: **29/293,058**

*Primary Examiner*—Dominic Simone

(74) *Attorney, Agent, or Firm*—Warner Norcross & Judd LLP

(22) Filed: **Nov. 7, 2007**

(57) **CLAIM**

(51) **LOC (9) Cl.** ..... **02-99**

The ornamental design for a footwear upper, as shown and described.

(52) **U.S. Cl.** ..... **D2/972; D2/969**

(58) **Field of Classification Search** ..... D2/896,  
D2/902, 906–908, 943, 944, 969, 972–974,  
D2/946; 36/45, 50.1, 77 M, 77 R, 83, 88,  
36/113, 114, 126–131

**DESCRIPTION**

See application file for complete search history.

FIG. 1 is a perspective view of the footwear upper embodying the new design;

FIG. 2 is a top view thereof;

FIG. 3 is a right side view thereof;

FIG. 4 is a left side view thereof;

FIG. 5 is a front view thereof; and,

FIG. 6 is a rear view thereof.

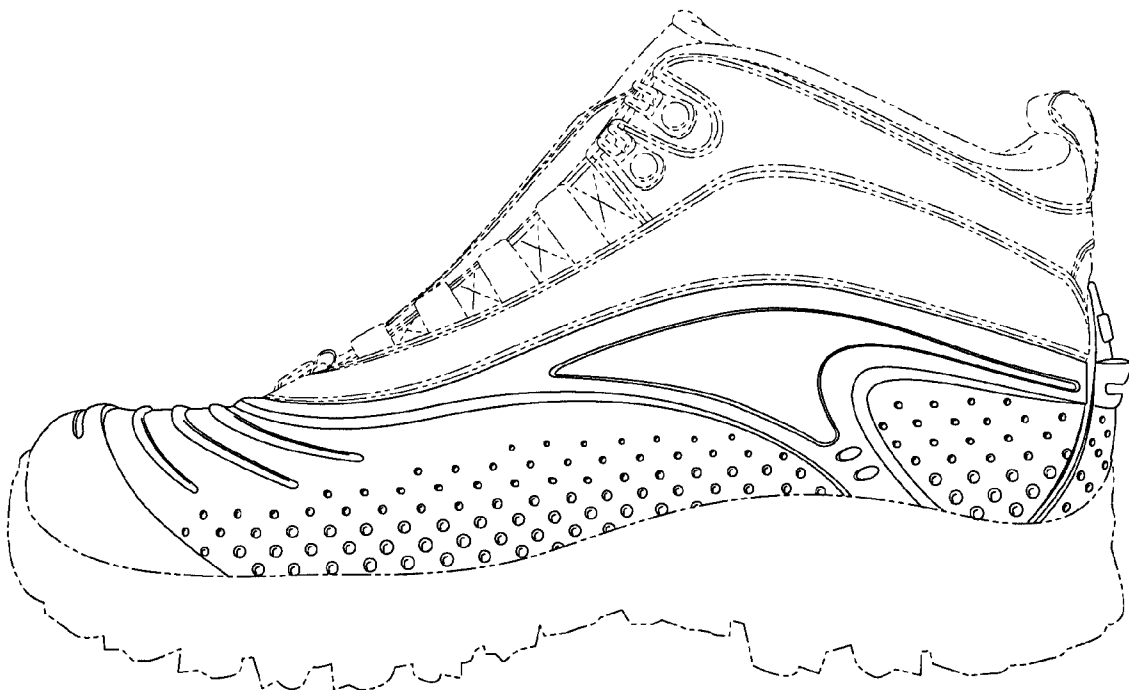
FIGS. 1–6 show features of an article of footwear in phantom lines. These features are shown for environmental purposes and do not form any part of the claimed design. Further, the phantom lines immediately adjacent the solid-line portions of the design form the boundary of the design, with the phantom lines forming no part of the claimed design.

(56) **References Cited**

**U.S. PATENT DOCUMENTS**

D433,560 S \* 11/2000 Pawlus ..... D2/969  
D441,523 S 5/2001 Matis et al.  
D447,618 S 9/2001 Matis et al.  
D497,476 S 10/2004 Huard et al.  
D513,554 S 1/2006 Matis et al.  
D520,217 S 5/2006 Kim  
D524,020 S 7/2006 Matis et al.  
D534,339 S 1/2007 Matis et al.  
D538,021 S 3/2007 Matis et al.  
D574,587 S \* 8/2008 McDowell ..... D2/969  
D575,044 S \* 8/2008 Alfaro ..... D2/969

**1 Claim, 4 Drawing Sheets**



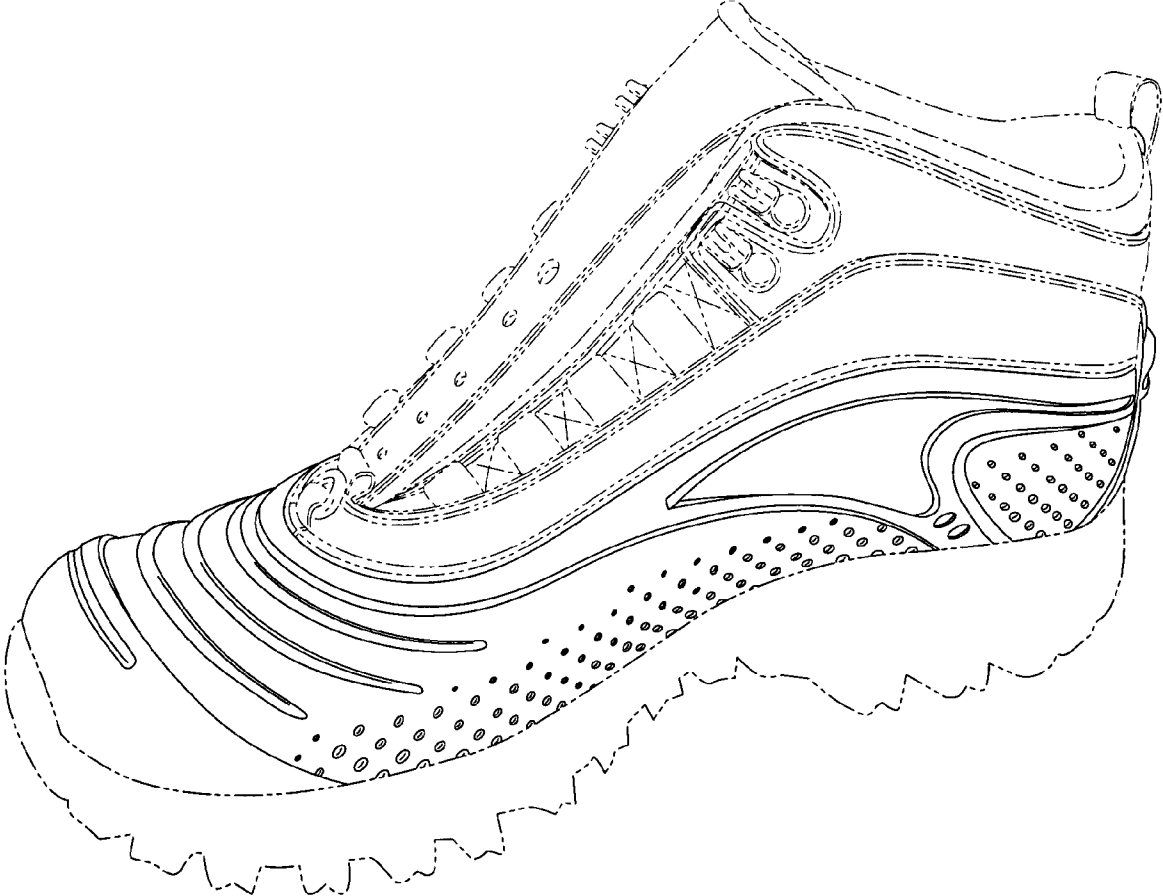


Fig. 1

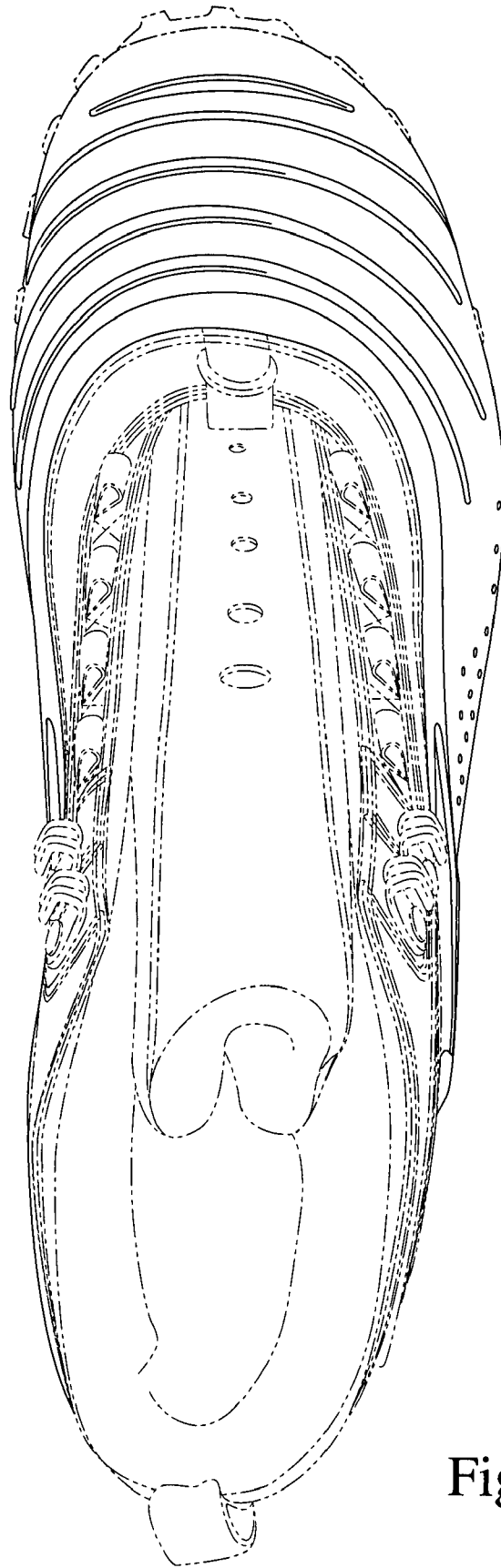


Fig.2

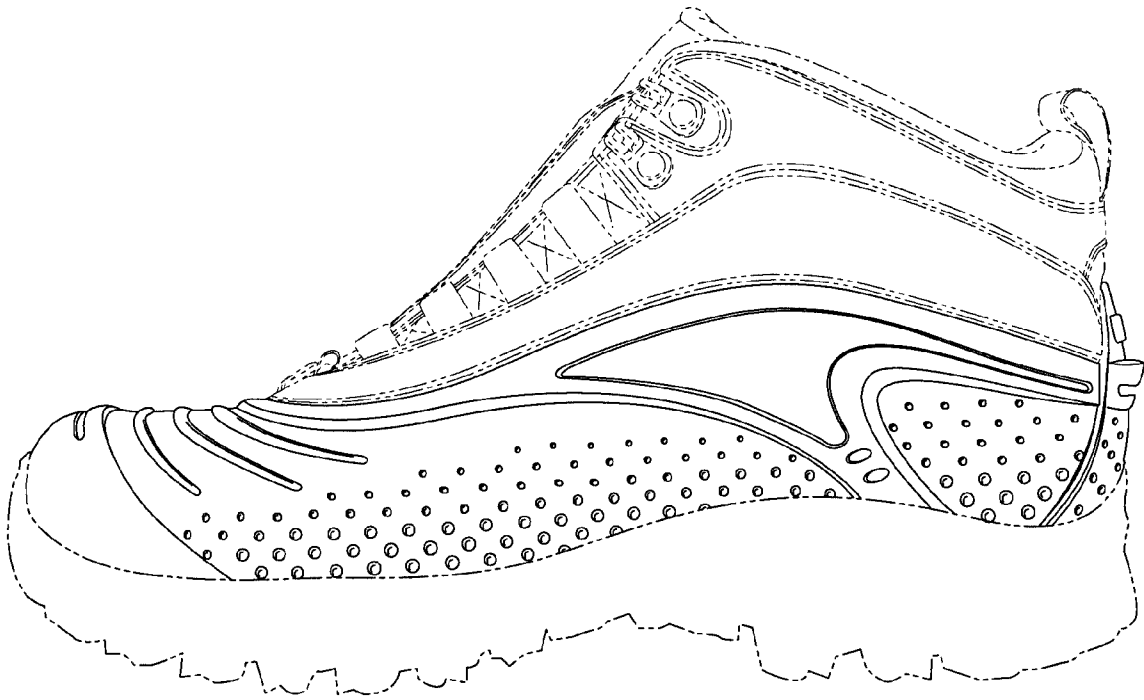


Fig.3

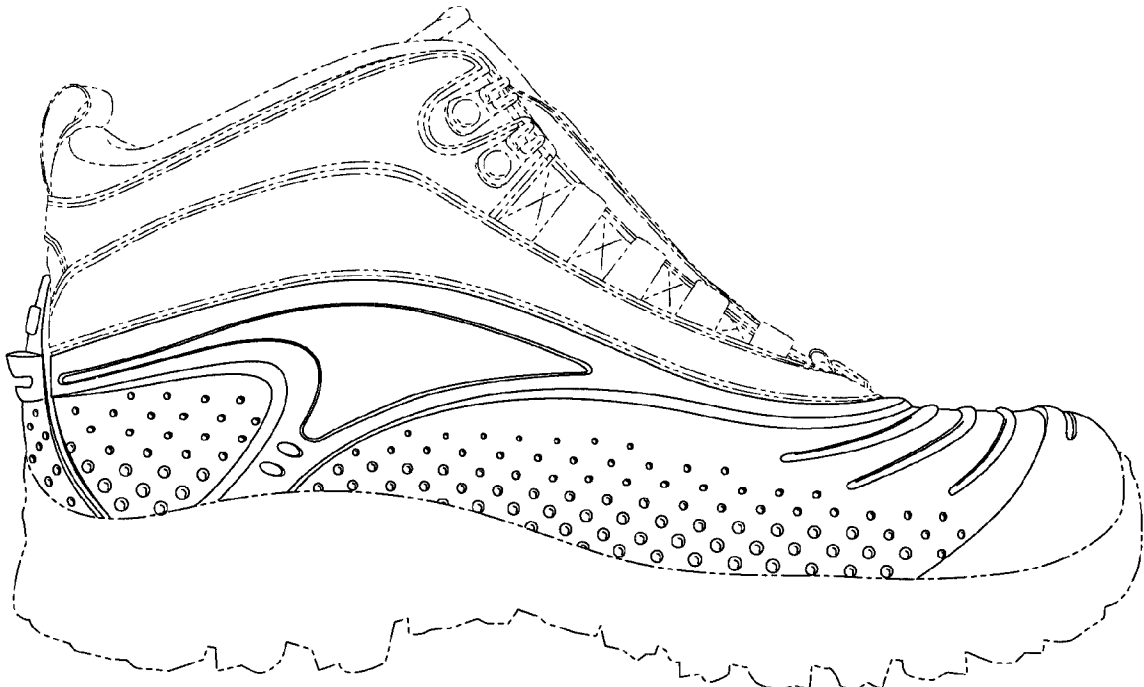


Fig.4

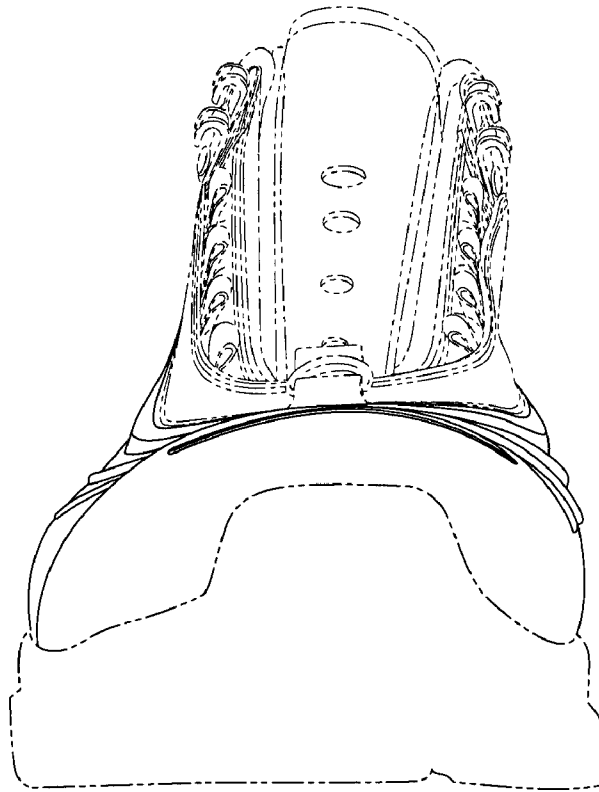


Fig.5

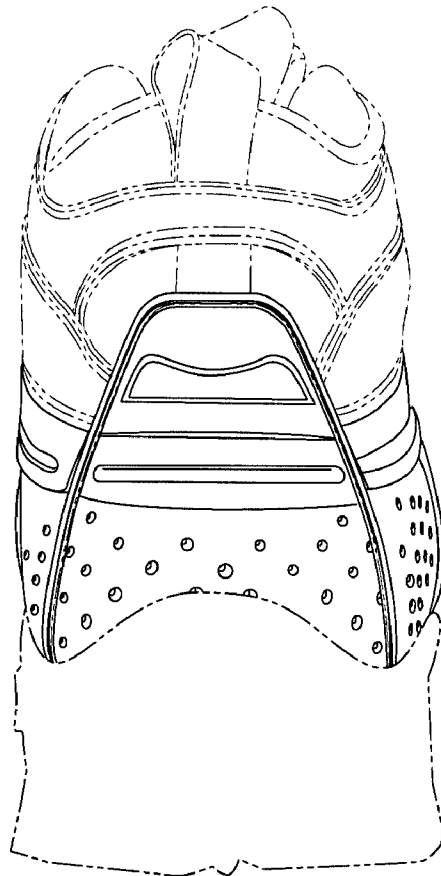


Fig.6